

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**THE PUBLIC INTEREST LEGAL  
FOUNDATION,**

**Plaintiff,**

**V.**

**KATHY BOOCKVAR, in her official capacity as Acting Secretary of the Commonwealth of Pennsylvania, JONATHAN M. MARKS, in his official capacity as Deputy Secretary for Elections and Commissions, and the BUREAU OF COMMISSIONS, ELECTIONS AND LEGISLATION,**

## Defendants.

[illegible]

**NO. 1:19-CV-622**

**CHIEF JUDGE CONNER**

**ELECTRONICALLY FILED**

**DEFENDANTS' UNOPPOSED MOTION FOR ENLARGEMENT  
OF TIME TO RESPOND TO COMPLAINT**

Defendants Kathy Boockvar, Secretary of the Commonwealth of Pennsylvania, Jonathan M. Marks, Deputy Secretary for Elections and Commissions, and the Bureau of Commissions, Elections and Legislation, by and through their undersigned counsel, hereby move for an enlargement of time to respond to the Complaint in the above-referenced matter and, in support thereof, aver as follows:

1. By Memorandum and Order dated December 13, 2019, the Court granted in part and denied in part Defendants' Motion To Dismiss.

2. Pursuant to Rule 12(a)(4) of the Federal Rules of Civil Procedure, the deadline for Defendants to file and serve responsive pleading is Friday, December 27, 2019.

3. Due to holiday vacation and travel plans, Defendants respectfully request a 14-day enlargement of time until Friday, January 10, 2020 to file a responsive pleading.

4. Counsel for Plaintiff concurs in this motion.

WHEREFORE, Defendants respectfully request a 14-day enlargement of time until Friday, January 10, 2020 to file a responsive pleading.

Respectfully submitted,

/s/ Daniel T. Brier

Daniel T. Brier

Donna A. Walsh

Counsel for Defendants,  
Secretary Kathy Boockvar, Deputy  
Secretary Jonathan M. Marks and  
Bureau of Commissions, Elections  
and Legislation

Myers, Brier & Kelly, LLP  
425 Spruce Street, Suite 200  
Scranton, PA 18503  
(570) 342-6100

Dated: December 23, 2019

**CERTIFICATE OF NON-CONCURRENCE**

I, Daniel T. Brier, hereby certify that I sought the concurrence of counsel for Plaintiff, Noel Johnson, Esquire, in this Motion. Mr. Johnson concurs in this Motion.

/s/ Daniel T. Brier

Date: December 23, 2019

**CERTIFICATE OF SERVICE**

I, Daniel T. Brier, hereby certify that a true and correct copy of the foregoing Motion for Enlargement of Time was served upon the following counsel of record via the Court's ECF system on this 23rd day of December, 2019:

J. Christian Adams, Esquire  
Public Interest Legal Foundation, Inc.  
1555 King Street, Suite 200  
Alexandria, VA 22314

Noah H. Johnson, Esquire  
Public Interest Legal Foundation  
32 E. Washington Street, Suite 1675  
Indianapolis, IN 46204

Linda A. Kerns, Esquire  
Law Offices of Linda A. Kerns, LLC  
1420 Locust Street, Suite 200  
Philadelphia, PA 19102

/s/ Daniel T. Brier